

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ATLANTIC RECORDING CORPORATION; )  
CAPITOL RECORDS, LLC; ELEKTRA )  
ENTERTAINMENT GROUP INC.; )  
INTERSCOPE RECORDS; MOTOWN RECORD )  
COMPANY, L.P.; PRIORITY RECORDS LLC; )  
UMG RECORDINGS, INC.; )  
VIRGIN RECORDS AMERICA, INC.; and )  
WARNER BROS. RECORDS INC., )

Plaintiffs, )

v. )

PROJECT PLAYLIST, INC. )

Defendant. )

Civil Action No. 08-CIV-3922-DC

**ECF CASE**

MOTION TO ADMIT  
COUNSEL *PRO HAC VICE*

PURSUANT TO RULE 1.3(c) of Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, and upon my annexed declaration, I, Eva Temkin, a member in good standing of the bar of this Court, hereby move for an order allowing the admission *pro hac vice* of:

Alison C. Barnes  
Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP  
1801 K Street, N.W., Suite 411  
Washington, D.C. 20006  
Tel: (202) 775-4500  
Fax: (202) 775-4510

Mrs. Barnes is a member in good standing of the bars of the District of Columbia and the states of California and Florida. There are no pending disciplinary proceedings against Mrs. Barnes in any State or Federal Court.

Dated: May 22, 2008  
Washington, D.C.

MAY 20 2008

08-0525-052257

Respectfully submitted,

By: 

Eva Temkin

ROBBINS, RUSSELL, ENGLERT, ORSECK,  
UNTEREINER & SAUBER

1801 K Street, N.W., Suite 411

Washington, D.C. 20006

Tel: (202) 775-4500

Fax: (202) 775-4510

*Attorneys for Plaintiffs*

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CAPITOL RECORDS, LLC; ELEKTRA	)	Civil Action No. 08-CIV-3922-DC
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UMG RECORDINGS, INC.;	)	
VIRGIN RECORDS AMERICA, INC.; and	)	
WARNER BROS. RECORDS INC.,	)	
	)	
Plaintiffs,	)	
v.	)	
	)	
PROJECT PLAYLIST, INC.	)	
	)	
Defendant.	)	

**DECLARATION OF EVA TEMKIN IN SUPPORT OF  
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

I, EVA TEMKIN, declare as follows:

1. I am an associate at the law firm of Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP, counsel for Plaintiffs in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Alison C. Barnes as counsel *pro hac vice*.

2. I am a member in good standing of the bar of the State of New York. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I am an associate at Mrs. Barnes's law firm, Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP.

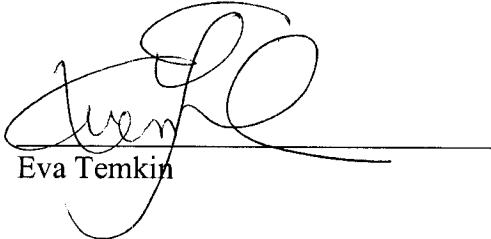
4. Mrs. Barnes is a member in good standing of the bars of the District of Columbia and the State of Georgia. Attached to this declaration as exhibits A and B are certificates issued within the last 30 days indicating that Mrs. Barnes is a member in good standing of each of these three bars.

5. Mrs. Barnes is a skilled attorney and a person of integrity. She is experienced in federal practice and is familiar with, among other things, the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the local rules governing practice in this court, and the Judicial Code governing practice in the United States district courts.

6. For the foregoing reasons, I respectfully request the *pro hac vice* admission of Alison C. Barnes.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 22, 2008  
Washington, D.C.



Eva Temkin

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SOUTHERN DISTRICT OF NEW YORK

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CAPITOL RECORDS, LLC; ELEKTRA	)	Civil Action No. 08-CIV-3922-DC
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UMG RECORDINGS, INC.;	)	
VIRGIN RECORDS AMERICA, INC.; and	)	
WARNER BROS. RECORDS INC.,	)	
	)	
Plaintiffs,	)	
v.	)	
	)	
PROJECT PLAYLIST, INC.	)	
	)	
Defendant.	)	
	)	

**[PROPOSED] ORDER FOR ADMISSION *PRO HAC VICE* ON WRITTEN MOTION**

Upon the motion of Eva Temkin, attorney for Plaintiffs, and said sponsor attorney's declaration in support, it is

ORDERED that

Alison C. Barnes  
Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP  
1801 K Street, N.W., Suite 411  
Washington, D.C. 20006  
Tel: (202) 775-4500  
Fax: (202) 775-4510  
Email: abarnes@robbinsrussell.com

is admitted to practice *pro hac vice* as counsel for plaintiffs in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply

for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac fee to the Clerk of Court.

SO ORDERED.

Dated:  
New York, New York

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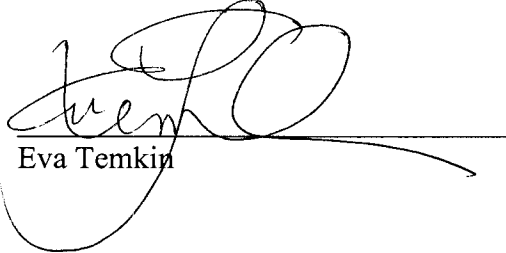
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on May 22, 2008, I caused a copy of the Motion to Admit Counsel *Pro Hac Vice*, the Declaration of Eva Temkin in Support of Motion to Admit Counsel *Pro Hac Vice*, and the Proposed Order for Admission *Pro Hac Vice* to be served on defendant Project Playlist, Inc. by mailing them to:

Robert B. Kory and Michelle L. Rice  
Law Offices of Robert B. Kory  
9300 Wilshire Blvd., Suite 200  
Beverly Hills, CA 90212

Dated: May 22, 2008



Eva Temkin

# EXHIBIT A





District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

ALISON C. BARNES

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was on the 14<sup>TH</sup> day of NOVEMBER, 2003  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on May 9,  
2008.

GARLAND PINKSTON, JR., CLERK

By: N. Charles  
Deputy Clerk

# EXHIBIT B

# STATE BAR OF GEORGIA



*Lawyers Serving the Public and the Justice System*

Ms. Alison Courtney Barnes  
Robbins Russell, et. al.  
1801K Street N.W., Suite 411-L  
Washington, DC 20006

**CURRENT STATUS:** Inactive Member-Good Standing  
**DATE OF ADMISSION:** 11/24/1997  
**BAR NUMBER:** 038549  
**TODAY'S DATE:** May 1, 2008

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition
N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- Sworn in to the Superior Court in Georgia, which is the highest court needed for individuals to practice law in the State of Georgia.
- Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by **State Bar Rule 1-204**. The member is current in license fees and is not suspended or disbarred as of the date of this letter.

## STATE BAR OF GEORGIA

*Brandy Preston*

Official Representative of the State Bar of Georgia



### HEADQUARTERS

104 Marietta Street, Suite 100  
Atlanta, Georgia 30303  
(404) 527-8700 ■ (800) 334-6865  
FAX (404) 527-8717  
www.gabar.org

### SOUTH GEORGIA

244 E. Second Street (Zip 31794)  
P.O. Box 1390  
Tifton, Georgia 31793-1390  
(229) 387-0446 ■ (800) 330-0446  
FAX (229) 382-7435